

REMARKS

This is an Amendment in response to the Office Action mailed on June 8, 2004, in which claim 1 was rejected under 35 U.S.C. §102(b) as being anticipated by Davis et al., U.S. Patent No. 5,636,719, and claims 2 and 3 were objected to as being dependent upon a rejected base claim. Claims 4-29 were allowed.

Claim Rejections - 35 U.S.C. §102(b)

With this Amendment, claims 1-3 are presently amended solely for the purpose of clarification.

As specified in currently amended independent claim 1, the present invention relates to a two-speed rotational control apparatus (10) having a first rotatable assembly (20) and a second rotatable assembly (96). In relevant part, the first and second assemblies (20 and 96) have respective circumferential surfaces (134A and 106A) adjacent to and spaced from one another. (FIGS 1A, 2 and 3). An air gap (146) is created between the circumferential surfaces (134A and 106A), and the air gap (146) is maintained while allowing axial movement between the first and second assemblies (20 and 96). (P. 16, ll. 19-21). The first and second assemblies (20 and 96) further have respective radial surfaces (46 and 102) capable of frictionally engaging one another. (FIGS 1A, 2 and 3). As defined in independent claim 1, the circumferential surfaces (134A and 106A) are distinct from the radial surfaces (46 and 102). (See FIGS. 1A-3). Those separate circumferential and radial surfaces of the present invention have different relative orientations.

Davis et al., U.S. Pat. No. 5,636,719 ("Davis '719 Patent"), discloses a rotational control apparatus having a first assembly (10'/12') and a second assembly (50').¹ (Davis '719 patent FIG. 5). In the Davis '719 patent, the first and second assemblies (10'/12' and 50') have respective radial (axial) surfaces (34 and 86) capable of frictional engagement. (Davis '719 patent, Col. 5, ll. 40-43).

¹The June 8, 2004 Office Action refers to an "Organek" reference. (6/8/04 Office Action, ¶ 3). Applicant assumes that was a typographical error and should refer to the Davis '719 patent.

The Davis '719 patent does not show, teach or disclose circumferential (coaxial) surfaces. The Examiner interprets the Davis '719 patent to include circumferential (coaxial) surfaces. (6/8/04 Office Action, ¶ 3). In particular, the Examiner identifies the radial (axial) surfaces (34 and 86) of the Davis '719 patent as also constituting circumferential (coaxial) surfaces. (6/8/04 Office Action, ¶ 3). However, according to the language of amended independent claim 1, the circumferential and radial surfaces are not the same surfaces; they are distinct. Moreover, the circumferential and radial surfaces have different orientations. Thus, it is respectfully submitted that the Examiner has incorrectly interpreted the Davis '719 patent, which, in fact, does not does not show, teach or disclose circumferential (coaxial) surfaces.

Properly interpreted, the Davis '719 patent does not provide circumferential surfaces. Therefore, the Davis '719 patent does not disclose, teach or suggest the limitations of independent claim 1. The rejection of independent claim 1 under 35 U.S.C. § 102(b) should accordingly be withdrawn.

Claim Objections

Dependent claims 2 and 3 were objected to as being dependent upon a rejected base claim. Amended claims 2 and 3 depend from independent claim 1. As amended independent claim 1 is presently in condition for allowance, amended dependent claims 2 and 3, which depend therefrom, are also in condition for allowance.

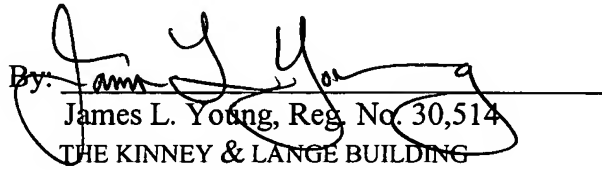
CONCLUSION

With this Amendment, all of pending claims 1-29 are in condition for allowance. Reconsideration and notice to that effect is respectfully requested. The examiner is invited to contact the undersigned at the telephone number listed below if such a call would in any way facilitate allowance of this application.

Respectfully submitted,

KINNEY & LANGE, P.A.

Date: AUGUST 12, 2004

By: 
James L. Young, Reg. No. 30,514
THE KINNEY & LANGE BUILDING
312 South Third Street
Minneapolis, MN 55415-1002
Telephone: (612) 339-1863
Fax: (612) 339-6580

JLY:APZ:alg